

RECEIVED
CENTRAL FAX CENTER

APR 21 2005

LAW OFFICES OF
McGINN & GIBB, PLLCA PROFESSIONAL LIMITED LIABILITY COMPANY
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW
8321 OLD COURTHOUSE ROAD, SUITE 200
VIENNA, VIRGINIA 22182-3817
TELEPHONE: (703) 761-4100
FACSIMILE/DATA: (703) 761-2375; 761-2376
E-MAIL: MCGINNGIBB @ AOL.COMSEAN M. MCGINN
PHILLIP E. MILLER†
FREDERICK E. COOPERRIDER†
JAMES E. HOWARD†
JAMES N. DRESSER
JOHN J. DRESCH
SCOTT M. TULINO
J. BRADLEY WRIGHT†

†MEMBER OF BAR OTHER THAN VA

ANNAPOLIS, MD OFFICE
FREDERICK W. GIBB, III
LAWRENCE A. SCOTT†
PAMELA M. RILEY†**FACSIMILE COVER SHEET**(This cover page + 12 sheets)

TO:

Ex. Li

DATE:

4/21/05Fax: (703) 872-9306

Ph:

FROM:

Frederick E. Cooperrider
Phone: (703) 761-2377

RE:

S/N 09/716,378

COMMENTS:

Response to Notice of Non-Compliant
Amendment, mailed 4/19/05. As best understood, the
deficiency is "Original claim" rather than "Original". It is
noted that there is no legal significance between the two,

This facsimile message and attachments (if any) may contain information that is privileged, confidential, attorney-work product, or otherwise exempt from disclosure under applicable law. This message and any attachment(s) are intended for only the individual or entity named above (or those properly entitled to access the information). If the reader of this transmission is not the intended or an authorized recipient, any unauthorized distribution, dissemination, or copying of this transmission and the attachment(s), if any, is prohibited.

If you have received this transmission in error, please immediately notify McGinn&Gibb, PLLC, at any of the numbers indicated above, or by email.

I certify that I sent this response to Notice of
Non-compliant Amendment to Ex. Li on 4/21/05.

Frederick Cooperrider
#36,769



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,378	11/21/2000	Kazumasa Mine	OSP-9705	8330

21254 7590 04/19/2005
MCGINN & GIBB, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

RECEIVED

APR 20 2005
SHI-024
MCGINN & GIBB, P.C.

EXAMINER

LI, AIMEE J

ART UNIT PAPER NUMBER

2183

DATE MAILED: 04/19/2005

5/19/05

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)	
	09/716,378	MINE, KAZUMASA	
	Examiner	Art Unit	
	Aimee J Li	2183	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 07 December 2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
- Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

U.S. Patent and Trademark Office
PTOL-324 (11-04)

Notice of Non-Compliant Amendment (37 CFR 1.121)

EDD:CPM Paper No. 20050412
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100